

Title 135 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 1 - DEFINITIONS

When a defined term appears in a definition, the defined term is sometimes placed within quotation marks as an aid to readers.

001 "Aquifer" shall mean a geological "formation", group of formations or part of a formation that is capable of yielding a useable amount of water to a well or spring.

002 "Council" shall mean Environmental Control Council.

003 "Department" is the Department of Environmental Control.

004 "Director" is the Director of the Department of Environmental Control.

005 "Formation" shall mean a body of rock characterized by a degree of lithologic homogeneity which is prevailing, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

006 "Groundwater" is that water which occurs, moves, seeps, filters or percolates through the ground beneath the land surface.

007 "Lithology" shall mean the description of rocks on the basis of their physical and chemical characteristics.

008 "Log" shall mean a record by depth of the "lithology" surrounding a mineral exploration hole obtained from formation samples and/or geophysical methods.

009 "Mineral Exploration Hole" shall mean a hole bored, drilled, driven, or dug in the act of exploring for a "mineral resource" other than oil or gas.

010 "Mineral Resource" shall mean mineral substances found in the form of consolidated rock or unconsolidated material, commingled, in solution, or otherwise occurring beneath the surface or in the waters of the State from which any product useful to humans may be produced, extracted, or obtained, but excluding oil and gas.

011 "Operator" shall mean the "person" to whom the permit is issued.

012 "Person" shall mean any individual, partnership, association, public or private corporation, trustee, receiver, assignee, agent, municipality, or other governmental subdivision, public agency, officer, or governing or managing body of any municipality, governmental subdivision, or public agency, or any other legal entity except the Department of Environmental Control.

013 "Plug (or Plugging)" shall mean the act or process of sealing the flow of fluid into or out of a "formation" through a hole penetrating that formation.

014 "Restoration" shall mean the employment, during and after an activity, of procedures reasonably designed to control, minimize, and eliminate hazards to humans, animals, and the environment, to protect the public health and welfare and air, land, water, and subsurface resources, and to return each resource to a quality of use consistent with the "uses for which the resource was suitable" prior to the


activity.

015 "Total dissolved solids (TDS)" shall mean the concentration of all dissolved matter and is generally expressed in milligrams per liter (mg/l).

016 "Trade Secret" shall mean a formula, pattern, device or compilation of information which is used in one's business and which gives one the opportunity to obtain advantage over competitors who do not know or use it. A plan or process, tool, mechanism or compound known only to its owner and those of his employees to whom it is necessary to confide. A secret formula or process not patented, but known only to certain individuals using it and compounding some article of trade having a commercial value.

017 "Uses for which the resource was suitable" shall mean, with respect to this Title, the pre-exploration quality conditions.

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